

Congress of the United States
Washington, DC 20510

August 20, 2003

The Honorable Norman Mineta
Transportation Secretary
U.S. Department of Transportation
400 7th Street, S.W
Washington, DC 20590

Dear Mr. Secretary:

We write to express our grave concern about the recent conduct of the Federal Aviation Administration (FAA) in lobbying Congress for the authority to privatize America's air traffic control (ATC) system.

Although the FAA has said that it had no intention of privatizing ATC functions, it worked behind closed doors to gain authority to replace federal controllers at 69 airport towers with contract employees of private companies. Then, in an apparent private deal with the Alaska delegation, the FAA agreed to be prohibited from privatizing Alaska airports. How, Mr. Secretary, can you defend a system that has one standard for Alaska, and another for the other 49 states? If privatization did not pose a threat to safety and efficiency, why would the experienced legislators of the Alaska delegation bother to exempt their own airports?

And now, in an effort to win Congressional approval of the conference report on Vision 100—Century of Aviation Reauthorization Act ("Conference Report"), the FAA appears ready to use a similar scheme to exempt towers in other states. It seems the Administration has different standards for air traffic control towers depending on the votes the Administration needs to pass the Conference Report. It has recently come to light in a report in the *Tulsa World* that the FAA has promised Senator Nickles that the Riverside Airport control tower in his home state of Oklahoma will not be privatized. It is not surprising that Oklahomans are concerned about privatization, and that concern was reflected in the support the Lautenberg amendment received from Senator Inhofe. The Administration will need Senator Inhofe, and others of the 11 Republicans who supported the Lautenberg amendment, to have a change of heart in order to pass its plan to privatize air traffic services. Once again we ask, if privatization poses no threats to safety and efficiency, why are members of Congress demanding they be exempted from the program?

This is not the first instance of improper behavior on behalf of the Administration on this issue. Shortly before Senate consideration of the Lautenberg amendment in June, Administration officials sent a factually incorrect e-mail to many Senate offices (except that of Senator Lautenberg) in a failed attempt to lobby against the Lautenberg amendment. The e-mail claimed the scope of the proposed Lautenberg provision was much broader than it actually was. This

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instance was chronicled in a hearing by the Senate Committee on Commerce, Science, and Transportation, on July 8.

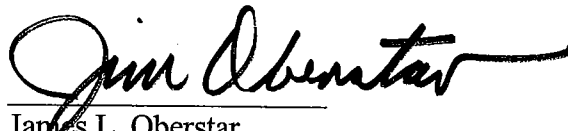
Safe and efficient air travel for all Americans is a non-partisan commitment from both the House and the Senate. The FAA is charged with protecting the safety of air travel, not cutting political deals—especially when those deals appear to be based on no sound safety or economic policy, but rather political calculations. To that point, we are asking you to instruct the FAA Administrator to report to Congress on any and all arrangements to exempt FAA-run control towers from being contracted out. We assure you that failure to report fully and promptly on this matter will lead to a loss in confidence among ourselves and our colleagues in the Congress in the leadership of the FAA.

Thank you for your attention to this matter.

Sincerely,



Frank R. Lautenberg
U.S. Senator



James L. Oberstar
Ranking Democratic Member
U.S. House of Representatives
Committee on Transportation
and Infrastructure